

# ATTACHMENT E

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Field Operations Directorate  
111 Massachusetts Avenue NW  
Washington, DC 20529-2030



U.S. Citizenship  
and Immigration  
Services

July 13, 2015

[REDACTED]  
[REDACTED]  
[REDACTED]

NOTICE OF INTENT TO TERMINATE DEFERRED ACTION  
AND EMPLOYMENT AUTHORIZATION

Dear [REDACTED], A [REDACTED]:

Please read this entire letter and make sure you understand it. USCIS is sending this notice to certain DACA recipients who were mistakenly sent 3-year work authorization cards **after** a court order was in place prohibiting issuing cards valid for longer than 2 years. Other 3-year work authorization cards issued and mailed **before** the February 16, 2015, court order are not affected and need not be returned.

In May 2015, USCIS sent you a notice that:

1. The Employment Authorization Document (EAD) you received with a validity period of longer than 2 years ("3-year EAD") was no longer valid;
2. You must return the invalid 3-year EAD; and
3. You were being issued a valid 2-year EAD.

USCIS sent you a second notice in early July 2015, entitled **REMINDER NOTICE: WARNING**. That notice again indicated that your 3-year EAD was now invalid, instructed you to immediately return the invalid 3-year EAD, and notified you that failure to return the invalid EAD may affect your deferred action and employment authorization.

To date, **USCIS has not received your invalid 3-year EAD or a response from you** stating the specific reason(s) why you cannot return it.

Due to your failure to return the invalid 3-year EAD, or to articulate good cause for not returning it, USCIS is notifying you of its intent to terminate your deferred action and all associated employment authorizations. **Your deferred action and all associated EADs (including your recently issued 2-year EAD) will terminate if USCIS has not received your invalid 3-year EAD by July 30, 2015.** If that happens, failure to return your invalid 3-year EAD, and subsequent termination of your DACA and employment authorization, may be considered a negative factor in weighing whether to grant any future requests for deferred action or any other discretionary requests.

To prevent this from happening, **you must appear** at a USCIS field office location **on or before July 21, 2015**, between 9:00am and 3:00pm. To find your nearest field office, please visit

[www.uscis.gov](http://www.uscis.gov)

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[www.uscis.gov/fieldoffices](http://www.uscis.gov/fieldoffices). At that appointment, you must either return your invalid 3-year EAD or certify that your invalid 3-year EAD either cannot be returned or has already been mailed back to USCIS.

You must bring the following materials with you to this appointment:

1. This notice;
2. Your invalid 3-year EAD (if you still have it);
3. Any 3-year approval notices received for Form I-821D (Consideration of Deferred Action for Childhood Arrivals) and/or Form I-765 (Application for Employment Authorization) that are still in your possession; and,
4. If you are not in possession of your 3-year EAD, you must bring a valid form of photo identification (such as a passport, driver's license).

If you have questions about this notice or need assistance locating your nearest field office, you may call the USCIS National Customer Service Center (NCSC) at **1-800-375-5283**. (If you are hearing impaired, you may call the NCSC's TDD number at **1-800-767-1833**.)

NOTE: You are still required to appear at this appointment even if you never received an EAD with a validity period of longer than 2 years, you have not yet received your reissued 2-year EAD, you cannot return the invalid EAD for good cause (for example, it was lost, stolen, or destroyed), or you have already mailed your invalid EAD back to USCIS.

You **must appear at this appointment** where you will either return the invalid 3-year EAD or sign a certification attesting that you do not have an invalid 3-year EAD in your possession.

**FAILURE TO RETURN YOUR INVALID 3-YEAR EAD, OR TO CERTIFY  
GOOD CAUSE FOR NOT RETURNING IT, WILL RESULT IN  
TERMINATION OF YOUR DEFERRED ACTION AND EMPLOYMENT  
AUTHORIZATION EFFECTIVE JULY 31, 2015.**

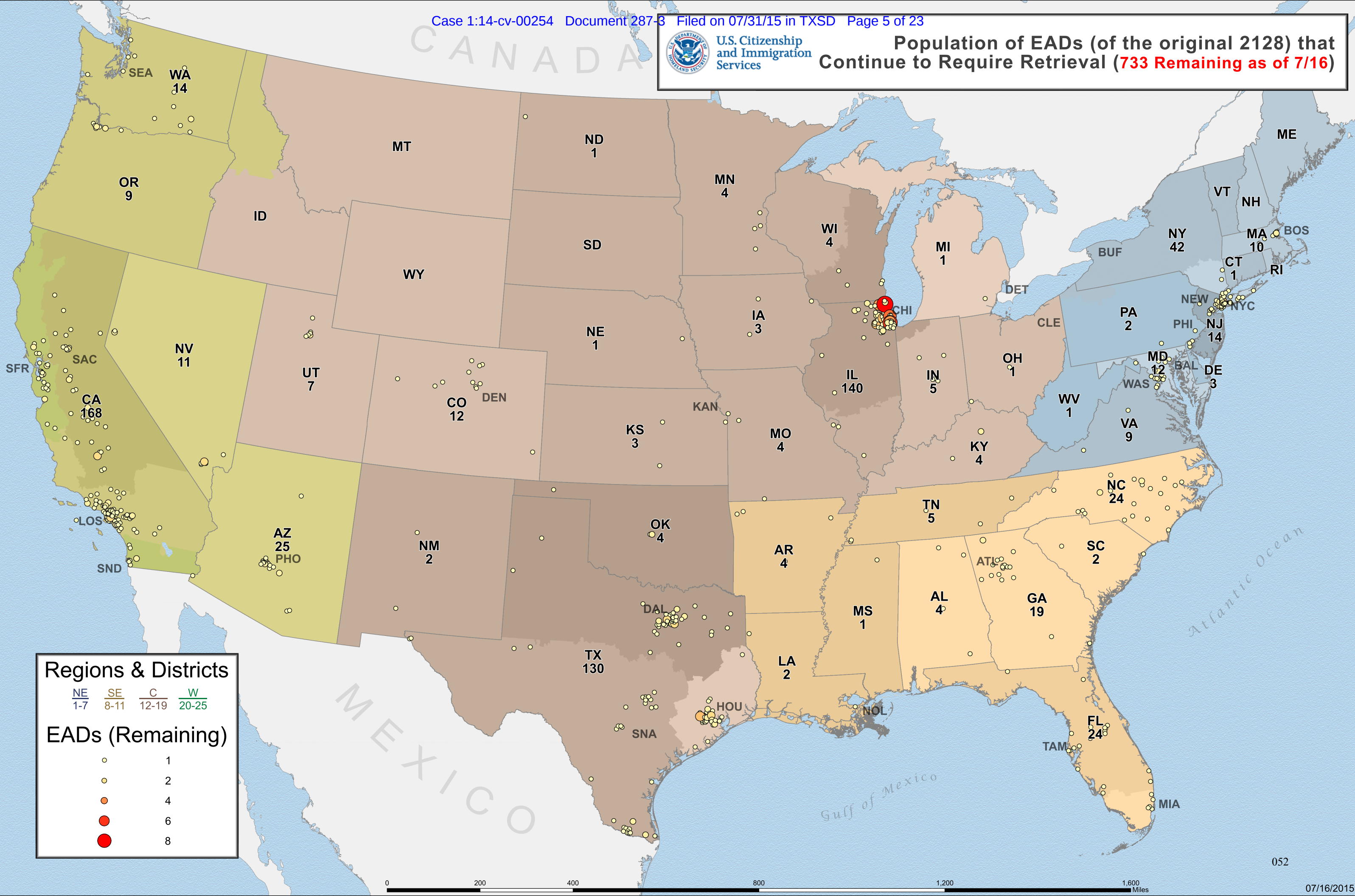
# ATTACHMENT F





U.S. Citizenship  
and Immigration  
Services

Population of EADs (of the original 2128) that  
Continue to Require Retrieval (**733 Remaining as of 7/16**)



# ATTACHMENT G



Dear ,

We are writing to you with critical information regarding your **DACA deferred action and employment authorization** issued by U.S. Citizenship and Immigration Services.

USCIS records show that you **must immediately return your [Employment Authorization Document \(EAD\)](#) with a validity period of longer than two years** and you have not done so. This EAD with a validity period of longer than two years is no longer valid. You should also return any approval notices received for deferred action and/or employment authorization with a validity period of longer than two years that are still in your possession.

**If we do not receive your invalid EAD, your deferred action and employment authorization will terminate as of July 31, 2015.**

We recently sent you a new, two-year EAD. That two-year EAD is still valid. Do NOT return that new, valid two-year EAD.

Please follow the instructions in the notice that you should have received to either return the invalid EAD or certify that you have good cause for being unable to do so. If you have not received or if you have lost the USCIS notice, you still must return your invalid EAD and must do so by appearing at a USCIS field office or by mail.

If you have any questions, please call our [National Customer Service Center](#) at **1-800-375-5283 (select Option 8)**.

**Option 1: To visit a field office:**

- Find a [local USCIS field office](#).
- You must appear between 9 a.m. and 3 p.m., Monday through Friday. No appointment is necessary.
- During your visit, you must either return your invalid EAD or certify that you have good cause for being unable to do so.
- You should bring the following materials with you:
  - ✓ Your invalid EAD;
  - ✓ If possible and still in your possession, any approval notices received for deferred action and/or employment authorization with a validity period of longer than two years; and,
  - ✓ If you do not have your invalid EAD, you must bring a valid form of photo identification (such as a passport, driver's license, or school identification card).

**Option 2: To return your invalid EAD by mail, send it to:**

UNITED STATES DEPARTMENT OF HOMELAND SECURITY  
CITIZENSHIP AND IMMIGRATION SERVICES  
ATTN ACD DACA  
PO BOX 87730  
LINCOLN, NE 68501-7730

- If your invalid EAD with a validity period of longer than 2 years is no longer in your possession, print this email and sign and certify below that you have good cause for being unable to do so, and then return this signed email to the address listed above.

☐ I do not have an EAD with a validity period of longer than 2 years in my possession because the EAD was:

\_\_\_\_ lost  
\_\_\_\_ stolen,  
\_\_\_\_ destroyed,  
\_\_\_\_ never received,  
\_\_\_\_ already returned, or

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(briefly explain

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Signature

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Date

- If possible and still in your possession, you should also include any approval notices received for deferred action and/or employment authorization with a validity period of longer than two years.

USCIS is taking additional actions to contact you about the return of your invalid EAD, including sending a Notice of Intent to Terminate Deferred Action and Employment Authorization by mail. We appreciate your cooperation and apologize for any inconvenience.

Sincerely,

USCIS Customer Contact Center  
DCM

# ATTACHMENT H

Secretary

U.S. Department of Homeland Security  
Washington, DC 20528



Homeland  
Security

July 14, 2015

MEMORANDUM FOR:

Leon Rodriguez  
Director  
U.S. Citizenship and Immigration Services

From:

Jeh Charles Johnson  
Secretary

A handwritten signature in black ink, appearing to read "Jeh Charles Johnson", with a long, sweeping horizontal line extending to the right.

Subject:

*Texas et al v. United States of America, et al*, Civil  
Action No. B-14-254 (S.D. Tex.)

As you know, on July 9 we notified the District Court of the existence of approximately 500 three-year EADs that were first sent prior to the injunction, returned to sender, and re-sent after the issuance of the injunction. As I have with my directive of July 10, I am directing U.S. Citizenship and Immigration Services (USCIS) to undertake a series of actions to immediately rectify this situation. As I understand it, USCIS has already begun updating its internal systems to reflect that these approximately 500 DACA recipients are recorded as having two-year, rather than three-year, DACA approvals and work authorizations.

In addition, USCIS has updated its system to ensure that no further three-year EAD's that are (or have been) returned to sender are re-mailed to the recipient as a three-year EAD.

I hereby direct the following:

First, USCIS shall immediately issue new approval notices and EADs reflecting two-year validity for the approximately 500 DACA recipients.



Second, USCIS's SAVE system shall immediately be updated to reflect that the authorizations for these approximately 500 DACA recipients are for a period of two years, not three. When this update is complete, all states that use the SAVE database will be able to verify the proper, two-year time period for DACA and work authorization, for purposes of issuing drivers' licenses and other benefits.

Third, USCIS shall immediately update its E-Verify system to ensure that any queries by employers indicate, with respect to these DACA recipients, a two-year, rather than three-year, term of work authorization.

Fourth, USCIS shall, with respect to these DACA recipients, no later than close of business on July 17, mail a Notice of Intent to Terminate, informing the recipient that his or her deferred action status and associated employment authorization will be terminated by no later than July 31 if he or she has not returned the three-year EAD. The Notice should explain that to prevent the termination, the DACA recipient must mail, and USCIS must receive by July 27, the invalid EAD *or* appear at a USCIS field office to return their three-year EAD. The Notice will explain that failure to return the card or to certify good cause for failing to do so will result in termination.

Fifth, by no later than July 17, USCIS shall also make in-person telephone calls to these DACA recipients to inform them that they have been issued a Notice of Intent to Terminate and provide them appropriate direction to appear at a USCIS field office to return their three-year EADs or to immediately mail their invalid EAD.

Sixth, USCIS shall dispatch its personnel to visit the homes of these DACA recipients, for the purpose of retrieving the three-year EADs. USCIS personnel shall do this at a reasonable hour, and in a respectful and appropriate manner. Alternatively, USCIS should send an INFOPASS Notice advising these DACA recipients to appear at a USCIS field office at a specific time and location and be prepared to surrender their three-year EADs, or contact the attorney of record for the DACA recipient. USCIS shall exercise its judgment as to whether, in the first instance, a home visit is most appropriate and effective, but in every case USCIS shall have, by July 30, either (i) retrieved the three-year EAD, (ii) visited the home of the DACA recipient listed in USCIS records for purposes of retrieving the three-year EAD, or (iii) received from the DACA recipient a written certification that he or she does not have a three-year EAD in his or her possession because it was lost, stolen, destroyed, or for other good cause.

Seventh, USCIS shall communicate with immigrant advocacy organizations and other suitable representatives its plan of action for compliance with this directive -- specifically that meetings and home visits are solely for the purposes of compliance with this directive.

Eighth, with respect to those of the approximately 500 DACA recipients from whom USCIS has not received a three-year EAD by close of business on July 30, those recipients' deferred action and employment authorization shall be terminated on July 31.

Ninth, USCIS shall advise me on July 17, July 20, July 24, and July 27 on the status of its compliance with this directive.

This directive is not intended to preclude other appropriate and lawful actions by USCIS to accomplish the objectives set forth herein. Also, this directive should not be read to impact or alter the ongoing meet and confer process being engaged in by the defendants, through the Department of Justice, in the Texas litigation.

# ATTACHMENT I

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Field Operations Directorate  
111 Massachusetts Avenue NW  
Washington, DC 20529-2030



U.S. Citizenship  
and Immigration  
Services

July 14, 2015

[REDACTED]  
[REDACTED]  
[REDACTED]

NOTICE OF INTENT TO TERMINATE DEFERRED ACTION  
AND EMPLOYMENT AUTHORIZATION

Dear [REDACTED], A [REDACTED]:

Please read this entire letter and make sure you understand it.

USCIS is sending this notice to certain DACA recipients who were sent a work authorization card valid for longer than two years **after** a court order was in place prohibiting USCIS from conferring DACA deferred action for longer than 2 years. The reason for this action is that, after a court order in *Texas v. United States*, No. B-14-254 (S.D. Tex.), USCIS approves deferred action requests and related employment authorization applications based upon DACA only for 2-year periods.

Your case has been re-opened and approved for a 2-year period of deferred action and employment authorization. USCIS records have been updated to reflect these 2-year approvals. Thus, **the 3-year Employment Authorization Document (EAD) you received is no longer valid and must be returned by July 27, 2015.** USCIS has recently issued you *new* 2-year approval notices and a *new* EAD reflecting a 2-year validity period. This *new* 2-year EAD has been mailed to the same address as this notice and replaces your invalid 3-year EAD. If you have not already received your new 2-year EAD, it should arrive within the next few days.

**You must IMMEDIATELY RETURN the invalid 3-year EAD to USCIS even if you have not yet received your new 2-year EAD.**

USCIS is notifying you of its intent to terminate your deferred action and all associated employment authorizations if you do not return the invalid 3-year EAD. Failure to return your invalid 3-year EAD, and subsequent termination of your DACA and employment authorization, may be considered a negative factor in weighing whether to grant any future requests for deferred action or any other discretionary requests.

To prevent this from happening, **you must return your invalid EAD through one of the following options:**

1. **Appear at a USCIS field office location ON OR BEFORE JULY 27, 2015**, between 9:00am and 3:00pm.

To find your nearest field office, please visit [www.uscis.gov/fieldoffices](http://www.uscis.gov/fieldoffices). At that appointment, you must either return your invalid 3-year EAD or certify that your invalid 3-year EAD cannot be returned.

You must bring the following materials with you to this appointment:

- this notice;
- your invalid 3-year EAD (if you still have it);
- any 3-year approval notices received for Form I-821D (Consideration of Deferred Action for Childhood Arrivals) and/or Form I-765 (Application for Employment Authorization) that are still in your possession; and,
- if you are not in possession of your 3-year EAD, you must bring a valid form of photo identification (such as a passport, driver's license).

2. **Mail your invalid 3-year EAD to USCIS.**

**YOUR INVALID EAD MUST BE RETURNED TO USCIS AND RECEIVED NO LATER THAN JULY 27, 2015.** Send your invalid EAD along with a copy of this notice to:

UNITED STATES DEPARTMENT OF HOMELAND SECURITY  
CITIZENSHIP AND IMMIGRATION SERVICES  
ATTN ACD DACA  
PO BX 87730  
LINCOLN, NE 68501-7730

**If your EAD with a validity period of longer than 2 years is no longer in your possession, sign and certify below that you have good cause for your not possessing any such EAD, and then return this signed notice either at your field office appointment or to the address listed above. YOUR CERTIFICATION MUST BE RETURNED TO USCIS AND RECEIVED NO LATER THAN JULY 27, 2015.**

☐ I do not have an EAD with a validity period of longer than 2 years in my possession because the EAD was:  
\_\_\_\_lost  
\_\_\_\_stolen,  
\_\_\_\_destroyed,  
\_\_\_\_never received, or  
\_\_\_\_(briefly explain other good cause)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

If you have questions about this notice, you may call the USCIS National Customer Service Center (NCSC) at **1-800-375-5283 and press #8**. (If you are hearing impaired, you may call the NCSC's TDD number at **1-800-767-1833**.)

**NOTE:** You are still required to take one of the above actions even if:

1. you never received an EAD with a validity period of longer than 2 years;
2. you have not yet received your reissued 2-year EAD; or,
3. you cannot return the invalid EAD for good cause (for example, it was lost, stolen, or destroyed).

**FAILURE TO RETURN YOUR INVALID 3-YEAR EAD, OR TO CERTIFY  
GOOD CAUSE FOR NOT RETURNING IT, WILL RESULT IN  
TERMINATION OF YOUR DEFERRED ACTION AND EMPLOYMENT  
AUTHORIZATION EFFECTIVE JULY 31, 2015.**

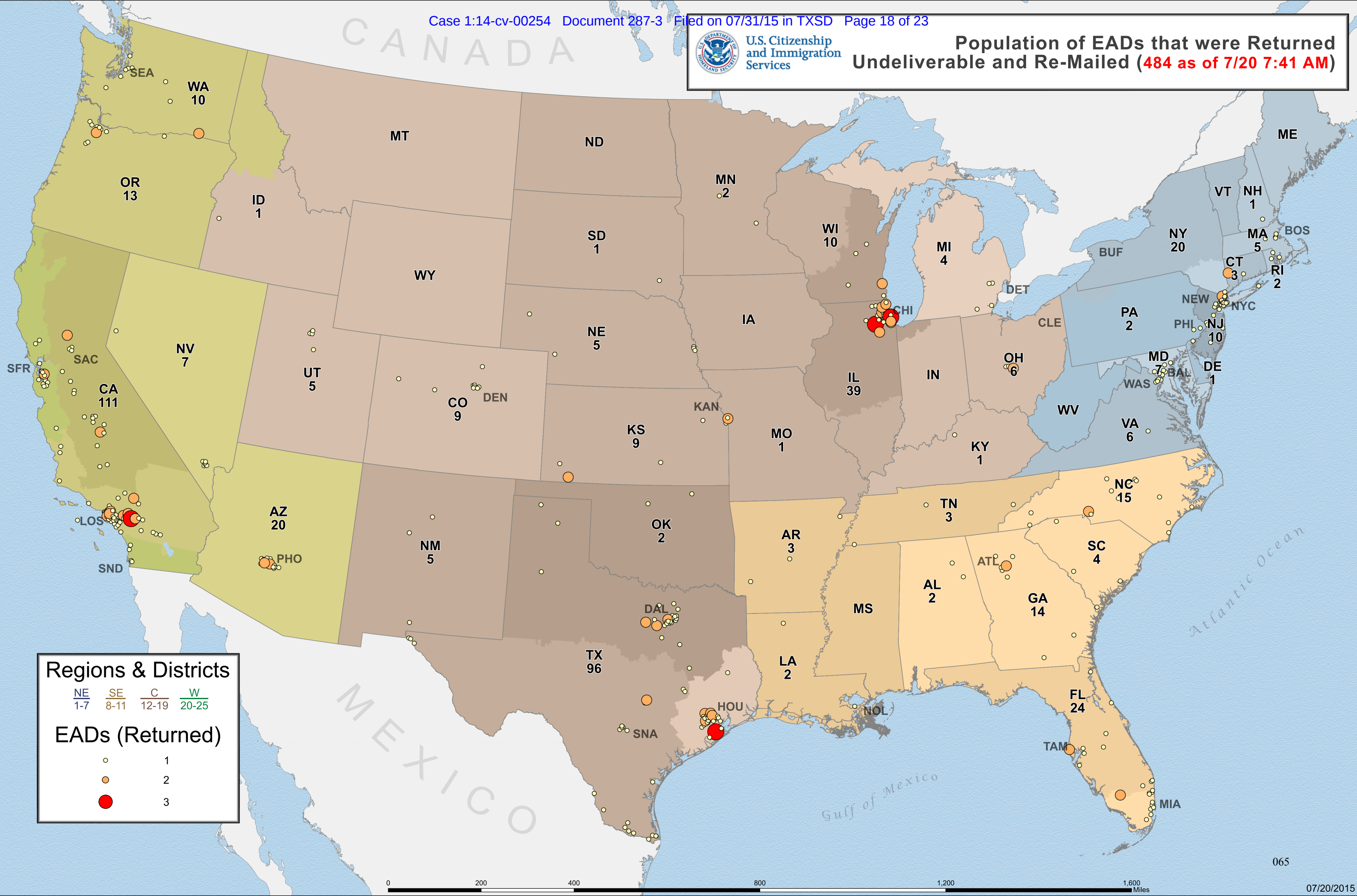


# ATTACHMENT J



U.S. Citizenship  
and Immigration  
Services

Population of EADs that were Returned  
Undeliverable and Re-Mailed (**484 as of 7/20 7:41 AM**)



# ATTACHMENT K



Dear ,

We are writing to you with critical information regarding your **DACA deferred action and employment authorization** issued by U.S. Citizenship and Immigration Services.

USCIS records show that you **must immediately return your [Employment Authorization Document](#) (EAD) with a validity period of longer than two years** and you have not done so. This EAD with a validity period of longer than two years is no longer valid. You should also return any approval notices received for deferred action and/or employment authorization with a validity period of longer than two years that are still in your possession.

**If we do not receive your invalid EAD, your deferred action and employment authorization will terminate as of July 31, 2015.**

We recently sent you a new, two-year EAD. That two-year EAD is still valid. Do NOT return that new, valid two-year EAD.

Please follow the instructions in the notice that you should have received to either return the invalid EAD or certify that you have good cause for being unable to do so. If you have not received or if you have lost the USCIS notice, you still must return your invalid EAD and must do so by appearing at a USCIS field office or by mail.

If you have any questions, please call our [National Customer Service Center](#) at **1-800-375-5283 (select Option 8)**.

**Option 1: To visit a field office:**

- Find a [local USCIS field office](#).
- You must appear between 9 a.m. and 3 p.m., Monday through Friday. No appointment is necessary.
- During your visit, you must either return your invalid EAD or certify that you have good cause for being unable to do so.
- You should bring the following materials with you:
  - ✓ Your invalid EAD;
  - ✓ If possible and still in your possession, any approval notices received for deferred action and/or employment authorization with a validity period of longer than two years; and,
  - ✓ If you do not have your invalid EAD, you must bring a valid form of photo identification (such as a passport, driver's license, or school identification card).

**Option 2: To return your invalid EAD by mail, send it to:**

UNITED STATES DEPARTMENT OF HOMELAND SECURITY  
CITIZENSHIP AND IMMIGRATION SERVICES  
ATTN ACD DACA  
PO BOX 87730  
LINCOLN, NE 68501-7730

- If your invalid EAD with a validity period of longer than 2 years is no longer in your possession, print this email and sign and certify below that you have good cause for being unable to do so, and then return this signed email to the address listed above.

☐ I do not have an EAD with a validity period of longer than 2 years in my possession because the EAD was:

\_\_\_\_ lost  
\_\_\_\_ stolen,  
\_\_\_\_ destroyed,  
\_\_\_\_ never received,  
\_\_\_\_ already returned, or

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(briefly explain

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Signature

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Date

- If possible and still in your possession, you should also include any approval notices received for deferred action and/or employment authorization with a validity period of longer than two years.

USCIS is taking additional actions to contact you about the return of your invalid EAD, including sending a Notice of Intent to Terminate Deferred Action and Employment Authorization by mail. We appreciate your cooperation and apologize for any inconvenience.

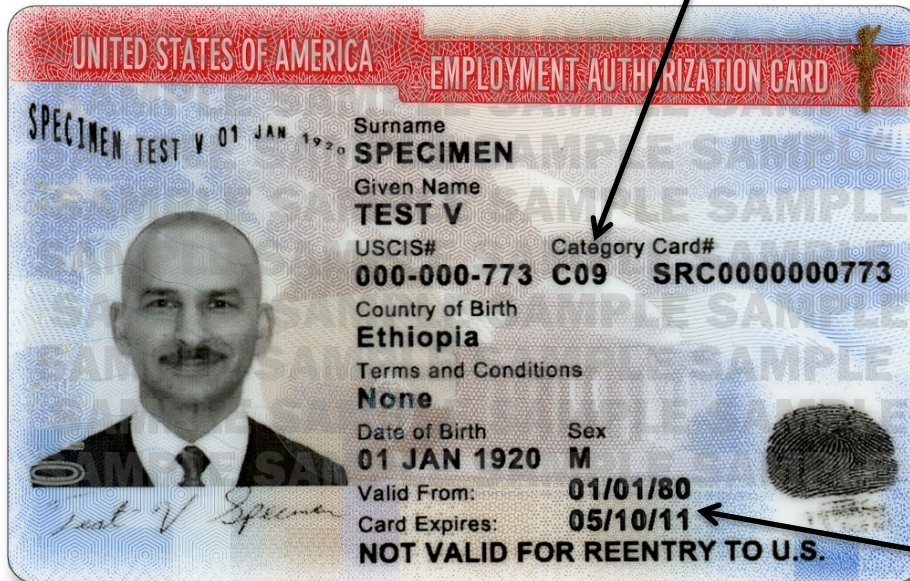
Sincerely,

USCIS Customer Contact Center  
DCM

# ATTACHMENT L



**DACA EAD**  
**Category is C33**



## Validity Period

